

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. MATSUI. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 11 o'clock and 25 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1202

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 12 o'clock and 2 minutes p.m.

## PROVIDING FOR CONSIDERATION OF H.R. 4157, HEALTH INFORMATION TECHNOLOGY PROMOTION ACT OF 2006

The SPEAKER pro tempore. The pending business is the vote on ordering the previous question on House Resolution 952, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 223, nays 193, not voting 16, as follows:

[Roll No. 412]

YEAS—223

Aderholt	Conaway	Hastings (WA)
Akin	Crenshaw	Hayes
Alexander	Culberson	Hayworth
Bachus	Davis (KY)	Hefley
Baker	Davis, Tom	Hensarling
Barrett (SC)	Dent	Herger
Bartlett (MD)	Diaz-Balart, L.	Hobson
Barton (TX)	Diaz-Balart, M.	Hoekstra
Bass	Doolittle	Hostettler
Beauprez	Drake	Hulshof
Biggart	Dreier	Hunter
Bilbray	Duncan	Hyde
Bilirakis	Ehlers	Inglis (SC)
Bishop (UT)	Emerson	Inslee
Blackburn	English (PA)	Issa
Blunt	Everett	Jenkins
Boehmert	Feeney	Jindal
Boehner	Ferguson	Johnson (CT)
Bonilla	Fitzpatrick (PA)	Johnson (IL)
Bonner	Flake	Johnson, Sam
Bono	Foley	Jones (NC)
Boozman	Forbes	Keller
Boustany	Fortenberry	Kelly
Bradley (NH)	Fox	Kennedy (MN)
Brady (TX)	Franks (AZ)	King (IA)
Brown (SC)	Frelinghuysen	King (NY)
Brown-Waite,	Gallely	Kingston
Ginny	Garrett (NJ)	Kirk
Burgess	Gerlach	Kline
Burton (IN)	Gibbons	Knollenberg
Buyer	Gilchrest	Kolbe
Calvert	Gillmor	Kuhl (NY)
Camp (MI)	Gingrey	LaHood
Campbell (CA)	Gohmert	Latham
Cannon	Goode	LaTourette
Cantor	Goodlatte	Leach
Capito	Granger	Lewis (CA)
Carter	Graves	Lewis (KY)
Castle	Green (WI)	Linder
Chabot	Gutknecht	LoBiondo
Chocola	Hall	Lucas
Coble	Harris	Lungren, Daniel
Cole (OK)	Hart	E.

Mack	Poe	Simmons
Marchant	Pombo	Simpson
McCaul (TX)	Porter	Smith (NJ)
McCotter	Price (GA)	Smith (TX)
McCrery	Pryce (OH)	Sodrel
McHugh	Putnam	Souder
McKeon	Radanovich	Stearns
McMorris	Ramstad	Sullivan
Mica	Regula	Sweeney
Miller (FL)	Rehberg	Tancredo
Miller (MI)	Reichert	Taylor (NC)
Miller, Gary	Renzi	Terry
Moran (KS)	Reynolds	Thomas
Murphy	Rogers (AL)	Thornberry
Musgrave	Rogers (KY)	Tiahrt
Myrick	Rogers (MI)	Tiberi
Neugebauer	Rohrabacher	Turner
Ney	Ros-Lehtinen	Upton
Northup	Royce	Walden (OR)
Norwood	Ryan (WI)	Walsh
Nunes	Ryun (KS)	Wamp
Osborne	Saxton	Weldon (FL)
Otter	Schmidt	Weldon (PA)
Oxley	Schwarz (MI)	Weller
Paul	Sensenbrenner	Westmoreland
Pearce	Sessions	Whitfield
Pence	Shadegg	Wicker
Peterson (PA)	Shaw	Wilson (NM)
Petri	Shays	Wilson (SC)
Pickering	Sherwood	Wolf
Pitts	Shimkus	Young (AK)
Platts	Shuster	Young (FL)

NAYS—193

Abercrombie	Gordon	Murtha
Ackerman	Green, Al	Nadler
Allen	Green, Gene	Napolitano
Andrews	Grijalva	Neal (MA)
Baca	Gutierrez	Oberstar
Baird	Harman	Obey
Baldwin	Hastings (FL)	Olver
Barrow	Hersteth	Ortiz
Bean	Higgins	Owens
Becerra	Hinchey	Pallone
Berkley	Hinojosa	Pascarell
Berman	Holden	Pastor
Berry	Holt	Payne
Bishop (GA)	Honda	Peterson (MN)
Bishop (NY)	Hooley	Pomeroy
Blumenauer	Hoyer	Price (NC)
Boren	Israel	Rahall
Boswell	Jackson (IL)	Rangel
Boucher	Jackson-Lee	Reyes
Boyd	(TX)	Ross
Brady (PA)	Jefferson	Rothman
Brown (OH)	Johnson, E. B.	Royal-Allard
Brown, Corrine	Jones (OH)	Ruppersberger
Butterfield	Kanjorski	Rush
Capps	Kaptur	Ryan (OH)
Capuano	Kennedy (RI)	Sabo
Cardin	Kildee	Salazar
Cardoza	Kilpatrick (MI)	Sanchez, Linda
Carnahan	Kind	T.
Carson	Kucinich	Sanchez, Loretta
Case	Langevin	Sanders
Chandler	Lantos	Schakowsky
Clay	Larsen (WA)	Schiff
Cleaver	Larson (CT)	Schwartz (PA)
Clyburn	Lee	Scott (GA)
Conyers	Levin	Scott (VA)
Cooper	Lipinski	Serrano
Costa	Lofgren, Zoe	Sherman
Costello	Lowey	Skelton
Cramer	Lynch	Slaughter
Cuellar	Maloney	Smith (WA)
Cummings	Markey	Snyder
Davis (AL)	Marshall	Solis
Davis (CA)	Matheson	Spratt
Davis (FL)	Matsui	Stark
Davis (IL)	McCarthy	Strickland
Davis (TN)	McCollum (MN)	Stupak
DeFazio	McDermott	Tanner
DeGette	McGovern	Tauscher
Delahunt	McIntyre	Taylor (MS)
DeLauro	McNulty	Thompson (CA)
Dicks	Meehan	Thompson (MS)
Dingell	Meek (FL)	Tierney
Doggett	Meeks (NY)	Towns
Doyle	Melancon	Udall (CO)
Edwards	Michaud	Udall (NM)
Engel	Millender	Van Hollen
Eshoo	McDonald	Velázquez
Etheridge	Miller (NC)	Visclosky
Farr	Miller, George	Wasserman
Filner	Mollohan	Schultz
Ford	Moore (KS)	Waters
Frank (MA)	Moore (WI)	Watson
Gonzalez	Moran (VA)	